

BLAKELY 1279 Oakmead Parkway
SOKOLOFF Sunnyvale, California 94086
TAYLOR & (408) 720-8598 Telephone
ZAFMAN (408) 720-9397 Facsimile

A Partnership
Including Law

Facsimile Transmittal Sheet

Date: 4/15/2002

URGENT

Deliver to Examiner: Kevin Burd

Fax No. 703-872-9314

FROM BSTZ:

Attorney: Edwin H. Taylor
Reg. No.: 25,129
Phone No. (408) 720-8598
Operator: Conny Willesen
Page 1 of 36

U.S. PATENT & TRADEMARK OFFICE

Art Unit: 2631
Serial No.: 09/221,291
Filing Date: 12-23-1998

Message:

Faxed as per your request.

CONFIDENTIALITY NOTE

The documents accompanying this facsimile transmission contain information from the law firm of Blakely Sokoloff Taylor & Zafman which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

IF YOU EXPERIENCE ANY DIFFICULTY IN RECEIVING THE ABOVE PAGES, PLEASE CALL (408) 720-8598 AND ASK FOR THE OPERATOR NAMED ABOVE.

Certificate of Facsimile Transmission

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademarks Office in accordance with 37 CFR § 1.6(d), on 4/15/2002

Conny Willesen

4-15-02

Date

ENTERED

FEB 26 2002

STATUS DB-LA

RECEIVED

FEB 26 2002

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN
LOS ANGELES

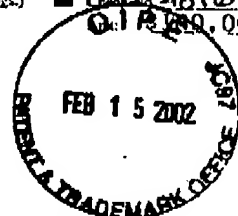
Serial/Patent No.: 09/221,291 Filing/Issue Date: 12-23-98
 Client: And Yet, Inc.
 Title: Biphase Multiple Level Communications

BSIZ File No.: 003921.P005 Atty/Secy Initials: EHT/cvw
 Date Mailed: 02-07-02 Docket Due Date: 01-21-02; 02-21-02

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Amendment/Response (<u>7</u> pgs.) | <input type="checkbox"/> Express Mail No.: | <input checked="" type="checkbox"/> Check No. <u>48163</u> |
| <input type="checkbox"/> Appeal Brief (<u> </u> pgs.) (in triplicate) | <input checked="" type="checkbox"/> <u>TWO</u> Month(s) Extension of Time | Amt: <u>\$200.00</u> |
| <input type="checkbox"/> Application - Utility (<u> </u> pgs., with cover and abstract) | <input checked="" type="checkbox"/> <u>Minimum</u> Declaration Statement & PTO 149 (<u>3</u> pgs.) | <input checked="" type="checkbox"/> Check No. <u>48161</u> |
| <input type="checkbox"/> Application - Rule 1.53(b) Continuation (<u> </u> pgs.) | <input type="checkbox"/> Issue Fee Transmittal | <input type="checkbox"/> Check No. <u>48160.00</u> |
| <input type="checkbox"/> Application - Rule 1.53(b) Divisional (<u> </u> pgs.) | <input type="checkbox"/> Notice of Appeal | |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (<u> </u> pgs.) | <input type="checkbox"/> Petition for Extension of Time | |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (<u> </u> pgs.) | <input type="checkbox"/> Petition for <u> </u> | |
| <input type="checkbox"/> Application - Design (<u> </u> pgs.) | <input type="checkbox"/> Postcard | |
| <input type="checkbox"/> Application - PCT (<u> </u> pgs.) | <input checked="" type="checkbox"/> Power of Attorney (<u>4</u> pgs.) | |
| <input type="checkbox"/> Application - Provisional (<u> </u> pgs.) | <input type="checkbox"/> Preliminary Amendment (<u> </u> pgs.) | |
| <input type="checkbox"/> Assignment and Cover Sheet | <input type="checkbox"/> Reply Brief (<u> </u> pgs.) | |
| <input checked="" type="checkbox"/> Certificate of Mailing | <input type="checkbox"/> Response to Notice of Missing Parts | |
| <input type="checkbox"/> Declaration & POA (<u> </u> pgs.) | <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business | |
| <input type="checkbox"/> Disclosure Docs & Dig & Copy of Invention Signal Letter (<u> </u> pgs.) | <input checked="" type="checkbox"/> Transmittal Letter, in duplicate | |
| <input checked="" type="checkbox"/> Drawings: <u>13</u> # of sheets includes <u>15</u> figures (Formals) | <input checked="" type="checkbox"/> Fee Transmittal, in duplicate | |

Other: Duplicate Information Disclosure Statement, copies of cited art (Total=4), and Submission of Formal Drawings (1pg) and a duplicate thereof.



Serial/Patent No.: 09/221,291 Filing/Issue Date: 12-23-98
 Client: And Yet, Inc.
 Title: Biphase Multiple Level Communications

BSTZ File No.: 003921.P005 Atty/Secty Initials: EHT/cvw
 Date Mailed: 02-07-02 Docket Due Date: 01-21-02; 02-21-02

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Amendment/Response (<u>7</u> pgs.) | <input type="checkbox"/> Express Mail No.: | <input checked="" type="checkbox"/> Check No. <u>48163</u> |
| <input type="checkbox"/> Appeal Brief (<u> </u> pgs.) (in triplicate) | <input checked="" type="checkbox"/> <u>Two</u> Month(s) Extension of Time | Amt: <u>\$200.00</u> |
| <input type="checkbox"/> Application - Utility (<u> </u> pgs., with cover and abstract) | <input checked="" type="checkbox"/> Information Disclosure Statement (<u>3</u> pgs.) | <input checked="" type="checkbox"/> Check No. <u>48161</u> |
| <input type="checkbox"/> Application - Rule 1.3(b) Continuation (<u> </u> pgs.) | <input type="checkbox"/> Issue Fee Transmittal | Amt: <u>\$180.00</u> |
| <input type="checkbox"/> Application - Rule 1.53(b) Divisional (<u> </u> pgs.) | <input type="checkbox"/> Notice of Appeal | |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (<u> </u> pgs.) | <input type="checkbox"/> Petition for Extension of Time | |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (<u> </u> pgs.) | <input type="checkbox"/> Petition for <u> </u> | |
| <input type="checkbox"/> Application - Design (<u> </u> pgs.) | <input checked="" type="checkbox"/> Postcard | |
| <input type="checkbox"/> Application - PCT (<u> </u> pgs.) | <input checked="" type="checkbox"/> Power of Attorney (<u>4</u> pgs.) | |
| <input type="checkbox"/> Application - Provisional (<u> </u> pgs.) | <input type="checkbox"/> Preliminary Amendment (<u> </u> pgs.) | |
| <input type="checkbox"/> Assignment and Cover Sheet | <input type="checkbox"/> Reply Brief (<u> </u> pgs.) | |
| <input type="checkbox"/> Certificate of Mailing | <input type="checkbox"/> Response to Notice of Missing Parts | |
| <input type="checkbox"/> Declaration & POA (<u> </u> pgs.) | <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business | |
| <input type="checkbox"/> Unknown Duct & Copy of Name Signed Letter (<u> </u> pgs.) | <input checked="" type="checkbox"/> Transmittal Letter, in duplicate | |
| <input checked="" type="checkbox"/> Drawings: <u>13</u> # of sheets includes <u>15</u> figures (formals) | <input checked="" type="checkbox"/> Fee Transmittal, in duplicate | |

☒ Other: Duplicate Information Disclosure Statement, copies of cited art (Total=4), and Submission of Formal Drawings (1pg) and a duplicate thereof

PTO/SB/17(09/00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL FOR FY 2002TOTAL AMOUNT OF PAYMENT (\$) 380.00**Complete if Known:**

Application No. 09/221,291
 Filing Date December 23, 1998
 First Named Inventor Martin H. Graham
 Group Art Unit 2631
 Examiner Name Kevin Burd
 Attorney Docket No. 003921.P005

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2686
 Deposit Account Name _____

☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed: ☒ Check
☐ Money Order
☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|-------------------|----------|--------------|----------|------------------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 101 | 740 | 201 | 370 | Utility application filing fee | _____ |
| 106 | 330 | 206 | 165 | Design application filing fee | _____ |
| 107 | 510 | 207 | 255 | Plant filing fee | _____ |
| 108 | 740 | 208 | 370 | Reissue filing fee | _____ |
| 114 | 160 | 214 | 80 | Provisional application filing fee | _____ |
| SUBTOTAL (1) \$ 0 | | | | | _____ |

2. EXTRA CLAIM FEES

| | | Extra Claims | Fee from below | Fee Paid |
|--------------------|-------|----------------|----------------|----------|
| Total Claims | _____ | - 20** = _____ | X _____ | = _____ |
| Independent Claims | _____ | - 3** = _____ | X _____ | = _____ |
| Multiple Dependent | _____ | | _____ | = _____ |

**Or number previously paid, if greater; For Reissues, see below.

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|---|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | |
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 84 | 202 | 42 | Independent claims in excess of 3 |
| 104 | 280 | 204 | 140 | Multiple dependent claim, if not paid |
| 109 | 84 | 209 | 42 | **Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) \$ 0

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| <u>Large Entity</u> | | <u>Small Entity</u> | | <u>Fee Description</u> | <u>Fee Paid</u> |
|---------------------------|-----------------|---------------------|-----------------|--|------------------|
| <u>Code</u> | <u>Fee (\$)</u> | <u>Code</u> | <u>Fee (\$)</u> | | |
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for ex parte reexamination | |
| 099 | 8,800 | 099 | 8,800 | Request for inter parties reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 400 | 216 | 200 | Extension for reply within second month | 200.00 |
| 117 | 920 | 217 | 460 | Extension for reply within third month | |
| 118 | 1,440 | 218 | 720 | Extension for reply within fourth month | |
| 128 | 1,960 | 228 | 980 | Extension for reply within fifth month | |
| 119 | 320 | 219 | 160 | Notice of Appeal | |
| 120 | 320 | 220 | 160 | Filing a brief in support of an appeal | |
| 121 | 280 | 221 | 140 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,280 | 241 | 640 | Petition to revive - unintentional | |
| 142 | 1,280 | 242 | 640 | Utility issue fee (or reissue) | |
| 143 | 460 | 243 | 230 | Design issue fee | |
| 144 | 620 | 244 | 310 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt | 180.00 |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 740 | 246 | 370 | For filing a submission after final rejection (see 37 CFR 1.129(a)) | |
| 148 | 110 | 248 | 55 | Statutory Disclaimer | |
| 149 | 740 | 249 | 370 | For each additional invention to be examined (see 37 CFR 1.129(b)) | |
| 179 | 740 | 279 | 370 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |
| 195 | 300 | 195 | 300 | Publication fee for early, voluntary, or normal pub. | |
| 196 | 300 | 196 | 300 | Publication fee for republication | |
| 194 | 130 | 194 | 130 | Request for voluntary publication or republication | |
| 098 | 130 | 098 | 130 | Processing fee under 37 CFR 1.17(l) (except provisionals) | |
| 091 | 1,280 | 091 | 1,280 | Acceptance of unintentionally delayed claim for priority | |
| Other fee (specify) _____ | | | | | |
| Other fee (specify) _____ | | | | | |
| SUBTOTAL (3) | | | | | \$ 380.00 |

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Edwin H. TaylorSignature: Date: 4/7/02Reg. Number: 25,129Telephone Number: 408-720-8300

Attorney's Docket No.: 003921.P005PatentIn re the Application of: Martin H. Graham
(inventor(s))Application No.: 09/221,291Filed: December 23, 1998For: Biphase Multiple Level Communications

(title)

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

SIR: Transmitted herewith is an Amendment for the above application.

- ☒ Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ A verified statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27 is enclosed.
- ☐ No additional fee is required.
- ☒ A request for two-month extension of time, an I.D.S., formal drawings, and related fees.

The fee has been calculated as shown below:

| | (Col. 1) | | (Col. 2) | (Col. 3) |
|---------------|---|-----------|---------------------------------|---------------|
| | Claims Remaining After Amd. | | Highest No. Previously Paid For | Present Extra |
| Total Claims | * 13 | Minus ** | 20 | 0 |
| Indep. Claims | * 3 | Minus *** | 3 | 0 |
| | First Presentation of Multiple Dependent Claim(s) | | | |

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

| SMALL ENTITY | |
|----------------|----------------|
| Rate | Additional Fee |
| X9 | \$ 0 |
| X42 | \$ 0 |
| +140 | \$ 0 |
| Total Add. Fee | \$ 0 |

| OTHER THAN A SMALL ENTITY | |
|---------------------------|----------------|
| Rate | Additional Fee |
| X18 | \$ |
| X84 | \$ |
| +280 | \$ |
| Total Add. Fee | \$ |

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

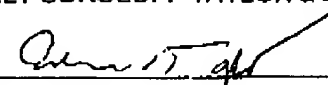
on February 7, 2002
Date of DepositCONNY WILLIAMS

Name of Person Mailing Correspondence

Conny Williams
Signature02-07-02
Date

- ☐ A check in the amount of \$_____ is attached for presentation of additional claim(s).
☒ Applicant(s) hereby Petition(s) for an Extension of Time of Two month(s) pursuant to 37 C.F.R. § 1.136(a).
☒ A check for \$ 200.00 is attached for processing fees under 37 C.F.R. § 1.17.
☐ Please charge my Deposit Account No. 02-2666 the amount of \$_____.
A duplicate copy of this sheet is enclosed.
☒ The Commissioner of Patents and Trademarks is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 02-2666 (a duplicate copy of this sheet is enclosed):
☒ Any additional filing fees required under 37 C.F.R. § 1.16 for presentation of extra claims.
☒ Any extension or petition fees under 37 C.F.R. § 1.17.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: 2/7, 2002
Edwin H. Taylor

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(408) 720-8300

Reg. No. 25,129